

### **REMARKS/ARGUMENTS**

Prior to the entry of this Amendment, claims 1-20 were pending in this application. Claims 1, 10, and 18 have been amended, no claims have been added, and claims 5 and 8 have been canceled herein. Therefore, claims 1-4, 6, 7, and 9-20 remain pending in this application. Applicants respectfully request reconsideration of this application for at least the reasons presented below.

#### **Specification**

The Office Action objected to the specification for a number of informalities. The Applicants thank the Examiner for his careful reading of the specification and finding the informalities. Appropriate amendments have been made herein. Therefore, the Applicants respectfully request withdrawal of the objections.

#### **Drawings**

The Office Action has objected to the drawings, specifically figure 3b, as failing to comply with 37 C.F.R. §1.84(p)(5) for including reference characters not mentioned in the description. Again, the Applicants thank the Examiner for his careful review of the figures and description. Amendments have been made herein to the description to include reference to the omitted character. The Applicants submit that no new matter is presented by these amendments which have been made only to correct an informality. Furthermore, the Applicants believe that the amendments negate the need to file amended replacement drawings as required by Office Action. Therefore, the Applicants respectfully request entry of the amendments and withdrawal of the objections.

**35 U.S.C. § 101 Rejection**

The Office Action has rejected Claims 10-17 and 18-20 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to a non-statutory subject matter. While the Applicants respectfully traverse the rejection, amendments have been made to claims 10, upon which claims 11-17 depend, and 18, upon which claims 19 and 20 depend, for the sake of expediency. These amendments are thought to overcome any reason for the rejection. Therefore, the Applicants respectfully request withdrawal of the rejection.

**35 U.S.C. § 102 Rejection, Baer**

The Office Action has rejected Claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by U. S. Patent No. 6,611,840 B1 of Baer et al. (hereinafter Baer). The Applicants respectfully submit the following arguments pointing out significant differences between claims 1-4, 6, 7, and 9-20 submitted by the Applicant and Baer.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully argue that Baer fails to disclose each and every claimed element.

Baer relates to "a system, method and program product for creating compilations of content from hierarchical content stored in a data repository." (Col. 1, lines 55-57) Baer teaches "creating a compilation of content stored in a data repository as a group of hierarchically related content entities, managing, displaying, and searching the content, then creating and exporting compilations of content for publication." (Col. 2, lines 15-19) "A web-based user interface is provided for presenting a user with a plurality of selectable objects, each object representing a subset of the hierarchical [content] data." (Col. 2, lines 43-45) "The user then

selects one or more of the objects for inclusion in a compilation." (Col. 2, lines 50-51) "The system then creates a file object (e.g., a CBO) defining the compilation that contains a list or outline of the content entities selected, their identifiers, order and structure. This file object is stored separately in the data repository." (Col. 3, lines 2-5) "The list or outline is presented to the user at the web interface as a table of contents, and may be edited through the interface." (Col. 3, lines 7-9) "Once the user is satisfied with the organization of the compilation, it is submitted it for publication." (Col. 3, lines 12-13)

That is, Baer teaches a web-based interface for allowing a user to select and arrange a collection of content items in a hierarchical fashion. Content that is provided to the system is input in SGML format and reformatted for storage. (Col. 5, lines 4-12) However, Baer does not disclose

Claim 1, upon which claims 2-4, 6, and 7 depend recites in part "an abstraction engine communicably coupled to a first plurality of content object entities, the abstraction engine operable to receive a content object from one of the first plurality of content object entities and to form the content object into an abstract form; a distinction engine communicably coupled to a second plurality of content object entities, the distinction engine operable to conform the abstracted content object with a standard compatible with a selected one of the second plurality of content objects." Baer does not disclose an abstraction engine operable to receive a content object from one of the first plurality of content object entities and to form the content object into an abstract form or a distinction engine operable to conform the abstracted content object with a standard compatible with a selected one of the second plurality of content objects. For at least these reasons, claims 1-4, 6, and 7 should be allowed.

Similarly, claim 10, upon which claims 11-17 depend, recites in part "accessing a first content object from a first content object entity, wherein the first content object is in a first content format; abstracting the first content object to create a second content object in an abstract format, wherein the abstract format is compatible with a plurality of content formats;

distinguishing the second content object to create a third content object, wherein the third content object is in a second content format that is compatible with a second content object entity." Baer does not disclose abstracting the first content object to create a second content object in an abstract format, wherein the abstract format is compatible with a plurality of content formats, or distinguishing the second content object to create a third content object, wherein the third content object is in a second content format that is compatible with a second content object entity. For at least these reasons, claims 10-17 should be allowed.

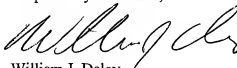
Claim 18, upon which claims 19 and 20 depend, recites in part "identifying content object entities within the customer premises." Baer does not disclose identifying content object entities within the customer premises. For at least these reasons claims 18-20 should be allowed.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



William J. Daley  
Reg. No. 52,471

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000 (Denver)  
Fax: 303-571-4321 (Denver)

WJD:sbm  
60771869 v1